

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 2002-093045

09/08/2005

THE HON. CRANE MCCLENNEN

CLERK OF THE COURT
E. Campo
Deputy

FILED: 09/15/2005

STATE OF ARIZONA

JEANNETTE GALLAGHER

v.

ALAN MARCEL SOJKA (A)

GARY J BEVILACQUA
JOSEPH A STAZZONE

VICTIM SERVICES DIV-CA-SE

ORAL ARGUMENT

12:15 p.m.

| | |
|-----------------------|-------------------------------------|
| State's Attorney: | Jeannette Gallagher |
| Defendant's Attorney: | Gary Bevilacqua and Joseph Stazzone |
| Defendant: | Present |
| Court Reporter: | Kathy Incavo |

This is the time set for Oral Argument re: Motion To Reconsider Court Order Precluding Mitigation Witnesses and Evidence and Statement of Witness Testimony.

Respective counsel present arguments to the Court.

THE COURT RULES that if defense counsel wants to use any of the information that was disclosed on May 27th, they will have to show good cause why disclosure was not made by April 29th for each item specifically. They must also tell the Court when each item was discovered, and why it was not disclosed immediately upon discovery.

The Court is advised that the State intends to have a psychologist evaluate the Defendant.

Defense counsel shall file a response no later than 09/22/2005 by 5:00 p.m. on both issues. Any response shall be emailed to the State by the same time.

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IT IS ORDERED setting the next Complex / Capital Case Management Conference on 10/14/2005 at 11:00 a.m. in this division.

IT IS ORDERED affirming the Trial set for 01/17/2006 at 9:30 a.m. in this division.

LAST DAY REMAINS: 03/02/2006.

IT IS ORDERED affirming prior custody orders.

1:12 p.m. Matter concludes.